

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
CHINA NATIONAL CHARTERING CORP., :

Plaintiff, :

-against- :

CHINABRAZ COMERCIO IMPORTACAO E :
EXPORTACAO LTDA. and SHANXI :
INTERNATIONAL CONTERTRADE CORP., :

Defendants. :
-----x

06 Civ. 13372 (HB)

ORDER

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/26/09

Hon. Harold Baer, Jr., District Judge:

WHEREAS Plaintiff China National Chartering Corp. ("Plaintiff") filed its complaint in the above-referenced action on November 20, 2006 that sought entry of an ex parte order of attachment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure (the "Rule B Order"); and

WHEREAS the Rule B Order was entered on November 21, 2006; and

WHEREAS on December 7, 2006, the Honorable Lewis A. Kaplan, sitting as Part I judge, entered an order directing the Bank of China to promptly transfer the sum of US \$243,590 to the bank account of Plaintiff's Hong Kong solicitors and ordering that, upon completion of the directed transfer, the attachment of the balance of any funds restrained in this matter would be vacated and the action dismissed; and

WHEREAS no further action in this matter has occurred since December 7, 2006; and

WHEREAS Plaintiff has advised that the transfer of funds was completed pursuant to the December 7, 2006 order and that there is no need for this matter to remain open on the Court's docket; it is hereby

ORDERED that the Rule B Order is hereby vacated; and it is further

ORDERED that this action is dismissed and the Clerk of this Court is directed to close the case and remove it from my docket.

SO ORDERED.

October 26, 2009
New York, New York



U.S.D.J.